

NOV-18-2011 FRI 03:03 PM BSKB 602

FAX NO. 703 205 8050

P. 01



Birch
Stewart
Kolasch
Birch LLP

FAX TRANSMISSION

DATE: November 18, 2011

PTO IDENTIFIER: Application No.: 10/568,781
 Patent No.: 7,749,187 B2
 Conf. No.: 5251
 Inventor: Istvan S. LINDMAYER

MESSAGE TO: US PATENT AND TRADEMARK OFFICE
 FAX NO.: 571-273-6500

FROM: BIRCH, STEWART, KOLASCH & BIRCH, LLP
 Marc S. Weiner
 PHONE: 703-205-8000
 FAX NO.: 703-205-8050
 Atty. Dkt. No.: 0474-0118PUS1

PAGES (Including Cover Sheet): 8

CONTENTS: Please find attached our Request for Refund.

If your receipt of this transmission is in error, please notify this firm immediately by collect call to sender at 703-205-8000 and send the original transmission to us by return mail at the address below.

This transmission is intended for the sole use of the individual and entity to whom it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. You are hereby notified that any dissemination, distribution or duplication of this transmission by someone other than the intended addressee or its designated agent is strictly prohibited.

Mail: P.O. Box 747, Falls Church, VA 22040-0747 8110 Gatehouse Road, Suite 100E, Falls Church, VA 22042-1248 | CA Office: San Diego
 1 703.205.8000 | f 703.205.8050 | e mailroom@bskb.com | w bskb.com

NOV-18-2011 FRI 03:03 PM BSKB 602

FAX NO. 703 205 8050

P. 02

Docket No.: 0474-0118PUS1
(Patent)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Letters Patent of:

Istvan S. LINDMAYER

Patent No.: 7,749,187 B2

Confirmation No.: 5251

Issued: July 06, 2010

Art Unit: 3763

For: NEEDLELESS INJECTION DEVICE AND
CARTRIDGES

Examiner: Q. VU

REQUEST FOR REFUND

MS 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I. REFUND REQUEST

This is a request for a refund with respect to the charge to Deposit Account No. 02-2448 shown on the statement for the month of May 2010 for the above-identified

application patent
 A copy of the monthly statement is enclosed.

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MSW/JWR/kpc

PAGE 28 * RCV'D AT 11/18/2011 2:10:35 PM [Eastern Standard Time] * SVR:W-PTOFAAX002/34 * DMS:2736500 * CSID:703 205 8050 * DURATION (mm:ss):02:19

NOV-18-2011 FRI 03:03 PM BSKB 602

FAX NO. 703 205 8050

P. 03

Patent No.: 7,749,187 B2

Docket No.: 0474-0118PUSI
Page 2 of 3II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input type="checkbox"/> filing fee	
<input type="checkbox"/> search fee	
<input type="checkbox"/> examination fee	
<input type="checkbox"/> surcharge for filing the basic filing fee or oath/declaration on a date later than the filing date of the application (37 C.F.R. § 1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input type="checkbox"/> fifth month	
<input type="checkbox"/> excess claims	
<input checked="" type="checkbox"/> issue fee	\$755.00
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	
<input type="checkbox"/> patent maintenance fee surcharge	
<input type="checkbox"/> Other	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
TOTAL REFUND REQUESTED	\$755

III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR

Application is a small entity but Issue Fee payment made was that of large entity.

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MSW/JWR/kdc

PAGE 3/8* RCVD AT 11/18/2011 2:10:35 PM (Eastern Standard Time)* SVR:WPTOFAX-00234* DNIS:2736500* CSID:703 205 8050* DURATION (mm:ss):02:19

NOV-18-2011 FRI 03:04 PM BSKB 602

FAX NO. 703 205 8050

P. 04

Patent No.: 7,749,187 B2

Docket No.: 0474-0118PUS1
Page 3 of 3

IV. REFUND OF 50% OF FEES

enclosing a copy of the Application Transmittal in which Small Entity is claimed.
 filed herewith
 filed on February 21, 2006 with application

V. MANNER OF REFUND

It is respectfully requested that the excess fee of \$755 be credited to Deposit Account No. 02-2448.

VI. REMARKS

Pursuant to 37 C.F.R. § 1.28(a), applicants hereby request a refund of 50% of the Filing Fee. Small entity status has been established by the filing of a written statement on February 21, 2006.

Small entity applicants may file the necessary Statement within three (3) months of the date of payment of any particular fee and request a refund. The present application qualifies for the reduced fees as implemented by the U.S. Patent and Trademark Office on October 1, 1982, and further amended on January 20, 1983 and September 8, 2000.

Favorable action on the present Request is respectfully requested.

Dated: August 5, 2010

Respectfully submitted,

for By Jam. Blh #47,305
Marc S. Weiner
Registration No.: 32181
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
Falls Church, VA 22040-0747
703-205-8000

Attachment

BIRCH, STEWART, KOLASCH & BIRCH, LLP

MSW/JWR/kpc

PAGE 4/8 * RCVD AT 11/18/2011 2:10:35 PM [Eastern Standard Time] * SVR:WPTOFAX-002/34 * DNIS:2736500 * CSID:703 205 8050 * DURATION (mm:ss):02:19

NOV-18-2011 FRI 03:04 PM BSKB 602

FAX NO. 703 205 8050

P. 05

[Return To](#)
[USPTO](#)
[Home](#)
[Page](#)

[Finance](#)
[Online](#)
[Shopping](#)
[Page](#)



**United States
Patent and
Trademark Office**

Name: **BIRCH STEWART
KOLASCH & BIRCH**

Attention:

Street Address 1: **8110 GATEHOUSE
ROAD**

Street Address 2: **SUITE 500 EAST**

Province:

City: **FALLS CHURCH**

State: **VA**

Postal code: **22042**

Country: **UNITED STATES**

Telephone: **703-205-8090**

Fax:

Balance Amount:

BIRCH, STEWART, KOLASCH & BIRCH, LLP
May 2010 Deposit Account Reconciliation

Date	File	Reference No/Ref	Docket Number	IP TO IP	IP TO File	File to IP	File to File
21-May		10568781	0474-0118PUS1	1501	DI		\$1,510.00

NOV-18-2011 FRI 03:04 PM BSKB 602

FAX NO. 703 205 8050

P. 06

COPY

1AP3 Rec'd PCT/PTD 21 FEB 2006

PTO-1390 (Rev. 07-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 3347-0105PLUS1
INTERNATIONAL APPLICATION NO. PCT/HU2004/000083	INTERNATIONAL FILING DATE 11 August 2004	U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
		RECEIPT DATE COPIED 21 August 2003
TITLE OF INVENTION NEEDLELESS INJECTION DEVICE AND CARTRIDGES		
APPLICANT(S) FOR DO/EO/US István LINDMAYER		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include Items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))</p> <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> has been communicated by the International Bureau. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RD/US). <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ol style="list-style-type: none"> <input type="checkbox"/> is attached hereto. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 18 (35 U.S.C. 371(c)(3))</p> <ol style="list-style-type: none"> <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). <input type="checkbox"/> have been communicated by the International Bureau. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. <input type="checkbox"/> have not been made and will not be made. <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 18 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13(ter.2) and 37 CFR 1.821 – 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</p>		

NOV-18-2011 FRI 03:04 PM BSKB 602

FAX NO. 703 205 8050

P. 07

JAP20 Rec'd PCT/PTO 21 FEB 2006

PTO-1390 (Rev. 07-2006)

Approved for use through 03/31/2007. GMB 0631-0021
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

U. S. GOVERNMENT USE RIGHTS: 37 CFR 1.5(b)(1)(ii)		INTERNATIONAL APPLICATION NO.	ATTORNEY'S DOCKET NUMBER																																																																																																				
107500781		PCT/HU2004/000083	3347-010SPUS1																																																																																																				
20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard PCT/ISA/210: Letter Submitting Article 19 Amendments; Drawings - Two (2) Sheets																																																																																																							
<p>The following fees have been submitted</p> <table border="1"> <tr> <td>21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))</td> <td>\$300</td> <td>CALCULATIONS</td> <td>PTO USE ONLY</td> </tr> <tr> <td>22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) if the written opinion prepared by (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)</td> <td>\$0</td> <td>\$ 200.00</td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$700</td> <td></td> <td></td> </tr> <tr> <td>23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)</td> <td>\$0</td> <td>\$ 400.00</td> <td></td> </tr> <tr> <td>Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4) Search fee (37 CFR 1.446(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority</td> <td>\$100</td> <td></td> <td></td> </tr> <tr> <td>All other situations</td> <td>\$400</td> <td></td> <td></td> </tr> <tr> <td colspan="2">TOTAL OF 21, 22 and 23 =</td> <td>\$ 800.00</td> <td></td> </tr> <tr> <td colspan="4"> <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing in compliance with 37 CFR 1.621(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(f)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. </td> </tr> <tr> <td>Total Sheets</td> <td>Extra Sheets</td> <td>Number of each additional 50 or fraction thereof (round up to a whole number)</td> <td>RATE</td> </tr> <tr> <td>29 - 100 =</td> <td>150 =</td> <td></td> <td>\$ 8250.00</td> </tr> <tr> <td colspan="4">Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).</td> </tr> <tr> <td>CLAIMS</td> <td>NUMBER FILED</td> <td>NUMBER EXTRA</td> <td>RATE</td> </tr> <tr> <td>Total claims</td> <td>14 - 20 =</td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td>Independent claims</td> <td>3 - 3 =</td> <td></td> <td>\$ 0.00</td> </tr> <tr> <td colspan="4">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> </tr> <tr> <td colspan="4">TOTAL OF ABOVE CALCULATIONS = \$ 800.00</td> </tr> <tr> <td colspan="4"> <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/4 450.00 </td> </tr> <tr> <td colspan="4">SUBTOTAL = \$ 450.00</td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.402(l)).</td> </tr> <tr> <td colspan="4">TOTAL NATIONAL FEE = \$ 450.00</td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.24(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31), \$40.00 per property</td> </tr> <tr> <td colspan="4">\$</td> </tr> <tr> <td colspan="4">TOTAL FEES ENCLOSED = \$ 450.00</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be refunded:</td> <td>\$</td> </tr> <tr> <td colspan="2"></td> <td>Amount to be charged:</td> <td>\$</td> </tr> </table>				21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	CALCULATIONS	PTO USE ONLY	22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) if the written opinion prepared by (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)	\$0	\$ 200.00		All other situations	\$700			23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)	\$0	\$ 400.00		Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4) Search fee (37 CFR 1.446(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority	\$100			All other situations	\$400			TOTAL OF 21, 22 and 23 =		\$ 800.00		<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing in compliance with 37 CFR 1.621(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(f)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.				Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	29 - 100 =	150 =		\$ 8250.00	Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	14 - 20 =		\$ 0.00	Independent claims	3 - 3 =		\$ 0.00	MULTIPLE DEPENDENT CLAIM(S) (if applicable)				TOTAL OF ABOVE CALCULATIONS = \$ 800.00				<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/4 450.00				SUBTOTAL = \$ 450.00				Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.402(l)).				TOTAL NATIONAL FEE = \$ 450.00				Fee for recording the enclosed assignment (37 CFR 1.24(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31), \$40.00 per property				\$				TOTAL FEES ENCLOSED = \$ 450.00						Amount to be refunded:	\$			Amount to be charged:	\$
21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a))	\$300	CALCULATIONS	PTO USE ONLY																																																																																																				
22. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c)) if the written opinion prepared by (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)	\$0	\$ 200.00																																																																																																					
All other situations	\$700																																																																																																						
23. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4)	\$0	\$ 400.00																																																																																																					
Search fee (37 CFR 1.492(b)) if the written opinion of (SAUS or the International) preliminary examination report prepared by (PCTAUS) indicates all claims satisfy provisions of PCT Article 33(1)(4) Search fee (37 CFR 1.446(a)(2)) has been paid on the International application to the USPTO as an International Searching Authority	\$100																																																																																																						
All other situations	\$400																																																																																																						
TOTAL OF 21, 22 and 23 =		\$ 800.00																																																																																																					
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (including sequence listing in compliance with 37 CFR 1.621(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(f)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.																																																																																																							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE																																																																																																				
29 - 100 =	150 =		\$ 8250.00																																																																																																				
Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).																																																																																																							
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																																																				
Total claims	14 - 20 =		\$ 0.00																																																																																																				
Independent claims	3 - 3 =		\$ 0.00																																																																																																				
MULTIPLE DEPENDENT CLAIM(S) (if applicable)																																																																																																							
TOTAL OF ABOVE CALCULATIONS = \$ 800.00																																																																																																							
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/4 450.00																																																																																																							
SUBTOTAL = \$ 450.00																																																																																																							
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.402(l)).																																																																																																							
TOTAL NATIONAL FEE = \$ 450.00																																																																																																							
Fee for recording the enclosed assignment (37 CFR 1.24(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31), \$40.00 per property																																																																																																							
\$																																																																																																							
TOTAL FEES ENCLOSED = \$ 450.00																																																																																																							
		Amount to be refunded:	\$																																																																																																				
		Amount to be charged:	\$																																																																																																				

Birch, Stewart, Kalbach & Birch, LLP

Page 2 of 3

NOV-18-2011 FRI 03:05 PM BSKB 602

FAX NO. 703 205 8050

P. 08

10/568781

JAP20 Rec'd PCT/PTO 21 FEB 2006

PTO-1300 (Rev. 07-2005)

Approved for use through 03/01/2007. OMB 0851-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

b. A check in the amount of \$ 450.00 to cover the above fees is enclosed.

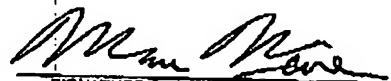
b. Please charge my Deposit Account No. 02-2448 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 02-2448. A duplicate copy of this sheet is enclosed.

d. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.485 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed or granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:



SIGNATURE

Marc S. Weitner

NAME

32,181

REGISTRATION NUMBER

CUSTOMER NUMBER: 02292

/cjb